

REMARKS

Claims 1-12, 14-22 and 24-28 are pending in the application. Claims 1, 2, 4-7, 9, 11, 12, 14-22 and 24-28 are rejected. 1, 2, 3, 4, 5, 8 and 10 are herein amended. No new matter has been entered.

Claims 3, 8 and 10 are merely rewritten in independent form, according to the Examiner's suggestion.

Claim Rejections - 35 U.S.C. §112

Claims 2, 3, 5 and 8 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite because the Examiner asserts that it describes the resin as a "modification of a polyolefin resin (a)". The Examiner asserts that because the polyolefins are already claimed as modified polyolefin, it is not clear what is intended as a modification of these modified resins.

Applicants herein amend claims 1-5 to clarify the claims. Specifically, Applicants clarify the relationship between polyolefin resin (a), polymer (a0), modified polyolefin resin (a1) and resin modification (a2).

Claim Rejections - 35 U.S.C. §103

Claims 1, 2, 4-7, 9, 11, 12, 14-22 and 24-28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,018, 010 to Yamazaki et al.

The Examiner asserts that Yamazaki et al. discloses a polymer derived from an unsaturated carboxylic acid monomer and a vinyl monomer, which has an acid value of 50 mg

KOH/g or higher and which may additionally be comprised of one or more olefin monomers such as ethylene or propylene. The polymers have a number average molecular weight of 10,000 or higher.

The Examiner concludes that it would have been obvious to combine any of the monomers, cross-linking agents, solvents and additives suggested by Yamazaki et al. in the disclosed weight proportions to formulate a coating film to be applied to a polyolefin substrate.

Applicants respectfully disagree with the above rejection because not all of the claimed limitations are taught or fairly suggested.

Applicants admit that if one skilled in the art were to pick and choose among the disclosed monomers, cross-linking agents, solvents, additives, and proportions thereof disclosed in Yamazaki et al., then it appears that one could approach the present invention. However, there does not appear to be specific suggestions to so select the particularly claimed monomers, cross-linking agents, solvents and additives as disclosed by Yamazaki et al. in the specifically claimed proportions. The Examiner may assert that one skilled in the art would want to optimize the prior art, however, even under the guise of optimization there do not appear to be suggestions to drive one to so modify the prior art.

Furthermore, Applicants even if one skilled in the art were to pick and choose among the disclosed monomers, cross-linking agents, solvents, additives, and proportions thereof disclosed in Yamazaki et al., the present invention would still not be reached.

Applicants note that the presently claimed invention relates to a dispersion comprising an aqueous medium and dispersed phase distributed therein.

However, Applicants note that Yamazaki discloses only “coating films”. A “dispersion” as claimed is not disclosed at all in Yamazaki. Furthermore, the “aqueous medium” in the claimed dispersion is not disclosed at all. Applicants note that the description on page 52, lines 21 to 26 in the instant specification clarifies that “Examples of the aqueous medium... include water and mixtures of water and an organic solvent. The concentration of the organic solvent in the aqueous medium is generally 0 to 50%...” That is, water is the major component of aqueous medium. However, Yamazaki et al. does not disclose such an aqueous medium.

Furthermore, “particles” of a resin component and a crosslinking agent in the “dispersed phase” are not disclosed at all in Yamazaki et al.

Therefore, because the claimed invention, even if modified, is quite different from the “coating films” of Yamazaki et al., Applicants submit that the present invention is not obvious from Yamazaki et al. Applicants request withdrawal of the rejection and passage of the claims to issue.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney to arrange for an interview to expedite the disposition of this case.

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Amendment under 37 C.F.R. §1.116
Amendment Filed: May 19, 2006

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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